

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

THE BOARD OF TRUSTEES OF THE
CARPENTERS PENSION TRUST FUND
FOR NORTHERN CALIFORNIA,

Plaintiff,

vs.

GORDON WILEY PERRY; GORDON
WILEY PERRY, Individually and doing
business as DRYWALL MASTERS;
GORDON WILEY PERRY, Individually and
doing business as GW PERRY
CONSTRUCTION; DRYWALL
MASTERS, a Sole Proprietorship; G W
PERRY CONSTRUCTION, a Sole
Proprietorship,

Defendants.

Case No: C 10-03186 SBA

**ORDER TO SHOW CAUSE RE
DISMISSAL**

On November 15, 2010, the Court ordered Plaintiff to (1) request entry of default against Defendants and (2) to file a motion for default judgment within fourteen days of the entry of default. 11/15/10 Order at 1, Dkt. 14. Plaintiff has not complied with either requirement nor has it sought or obtained leave of court to be excused from such orders. The failure to comply with the Federal Rules of Civil Procedure, the Local Rules of the Court or any Court Order is grounds for dismissal of this action under Federal Rule of Civil Procedure 41(b). See Ferdick v. Bonzelet, 963 F.2d 1258, 1260 (9th Cir. 1992). Accordingly,

IT IS HEREBY ORDERED THAT Plaintiff is directed to show cause why the instant action should not be dismissed under Rule 41(b). Within seven (7) days of the date this order is filed, Plaintiff shall file a Certificate of Counsel to explain why the case should or should not

1 be dismissed. The Certificate shall set forth the nature of the cause, its present status, the
2 reason it has not been brought to trial or otherwise terminated, any basis for opposing dismissal
3 and its expected course if not dismissed. FAILURE TO FULLY COMPLY WITH THIS
4 ORDER WILL BE DEEMED SUFFICIENT GROUNDS TO DISMISS THE ACTION,
5 WITHOUT FURTHER NOTICE.

6 IT IS SO ORDERED.

7 Dated: January 12, 2011


8 SAUNDRA BROWN ARMSTRONG
9 United States District Judge
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